

REMARKS

Claims 1-17 are all the claims pending in the present application, new claim 17 having been added as indicated herein. Applicant thanks the Examiner for indicating that claim 8 contains allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 is rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Turnbull et al. (U.S. Patent No. 6,407,712), hereinafter referred to as Turnbull '712. Claims 2-4, 6, 7, 9 and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Turnbull '712. Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Turnbull '712 in view of Turnbull '379 (U.S. Patent No. 7,023,379). Claims 12-16 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Turnbull '712 in view of Godo et al. (U.S. Patent No. 5,295,753).

§102(e) Rejections (Turnbull '712) – Claim 1

Claim 1 is rejected based on the reasons set forth on pages 2-3 of the present Office Action. Applicant traverses this rejection at least based on the following reasons.

With respect to claim 1, Applicant submits that Turnbull '712 does not disclose or suggest at least, “a box-like housing for housing therein said antenna, said radio module and said data processing unit in a unitary structure,” as recited in claim 1. The Examiner alleges that the microprocessor 110 of Fig. 6 of Turnbull '712 corresponds to the claimed data processing unit. However, nowhere does Turnbull '712 disclose or suggest that the microprocessor 110 is housed within a box-like housing along with the antenna and a radio module in a unitary structure. Since this particular feature is nowhere disclosed in Turnbull '712, Applicant submits that each

and every limitation of claim 1 is not satisfied by Turnbull '712. Therefore, Turnbull '712 clearly does not anticipate claim 1.

§103(a) Rejections (Turnbull '712) – Claims 2-4, 6, 7, 9 and 11

Claims 2-4, 6, 7, 9 and 11 are rejected based on the reasons set forth on pages 4-7 of the present Office Action. Applicant traverses these rejections at least based on the following reasons.

First, Applicant submits that dependent claims 2-4, 6, 7, 9 and 11 are patentable at least by virtue of their respective indirect and direct dependencies from independent claim 1.

Further, with respect to claim 2, Applicant submits that Turnbull '712 does not disclose or suggest at least, “wherein when said antenna is so set as to be transmissible in a direction orthogonal to said substrate, a substrate surface region located above an antenna transmissive planar region is greater than a substrate surface region located beneath said antenna transmissive planar region,” as recited in claim 2. The Examiner cites Figs. 3 and 6 of Turnbull as allegedly satisfying this particular feature, and states:

Therefore, it would have been obvious for one skilled in the art at the time the invention was made to integrate the outside processor mounted on the substrate and to align said antenna module on the substrate surface region in such a way that said antenna module could receive a good signal since they have been held that rearranging/moving parts of an invention involves only routine skill in the art.

In response, Applicant submits that the Examiner is obviously utilizing impermissible hindsight reasoning in coming to the conclusions set forth above. There may be different ways that a dedicated short-range communication on-vehicle apparatus can be configured to receive a good signal, however there is no teaching or suggestion of the particular novel arrangement of claim 2 anywhere in Turnbull '712. Furthermore, the Examiner acknowledges that the

microprocessor 110 of Turnbull '712 is outside of the housing 54, which allegedly corresponds to the claimed box-like housing. The claimed invention, as recited in claim 2, requires that the data processing unit (which allegedly corresponds to the processor 110 of Turnbull '712) must be located within the box-like housing. Thus, the features of the claimed invention are clearly not satisfied by Turnbull '712. At least based on the foregoing, Applicant submits that claim 2 is patentably distinguishable over Turnbull.

Applicant submits that dependent claims 3 and 4 are patentable at least based on reasons similar to those set forth above with respect to claim 2.

Further, with respect to claim 6, Applicant submits that Turnbull '712 does not disclose or suggest at least, "wherein a plurality of through holes are formed at positions surrounding outer peripheral edges of said antenna on said substrate," as recited in claim 6. The Examiner alleges that the connector 84 corresponds to the claimed through holes. On its face, the connector 84 of Turnbull '712 is clearly not a through hole.

§103(a) Rejection (Turnbull '712 / Turnbull '379) – Claim 5

Applicant submits that dependent claim 5 is patentable at least by virtue of its indirect dependency from independent claim 1. Turnbull '379 does not make up for the deficiencies of Turnbull '712.

§103(a) Rejection (Turnbull '712 / Godo) – Claims 12-16

Applicant submits that dependent claims 12-16 are patentable at least by virtue of their indirect or direct dependency from independent claim 1. Godo does not make up for the deficiencies of Turnbull '712.

Additionally, Applicant adds new claim 17 to provide a varying scope of coverage. Applicant submits that new claim 17 is patentable at least by virtue of its dependency.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/769,793

Attorney Docket No.: Q79163

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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CUSTOMER NUMBER



Diallo T. Crenshaw
Registration No. 52,778

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